

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re:

Case No. 24-31547

Marko Kamel

Debtor,

Chapter 13

**MOTION TO DISMISS CHAPTER 13 CASE PURSUANT TO
11 USC SEC. 1307(b)**

TO THE DEBTOR, CHAPTER 13 TRUSTEE, UNITED STATES TRUSTEE AND
OTHER PARTIES ENTITLED TO NOTICE UNDER LOCAL RULE 9013-2.

1. Marko Kamel, the “Movant”, moves the court for the relief requested below and gives notice of hearing.
2. The court will hold a hearing on this motion at **August 21, 2024 @ 9:30AM**, before the before the Honorable Michael E. Ridgway, United States Bankruptcy Court Judge, at Courtroom 7 West, 300 South Fourth Street, Minneapolis, Minnesota 55415.
3. Any response to this motion must be filed and served not later than **August 14, 2024**, which is seven days before the time set for the hearing (including Saturdays, Sundays, and holidays). UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.
4. The petition commencing this chapter 13 case was filed on 6/13/2024. The case is now pending in this court. The court has jurisdiction over this motion pursuant to 28 U.S.C. § 157 and § 1305 and § 1329, Fed. R. Bankr. P. 5005, Bankruptcy Local Rule 1070-1, 3015-2(b), and applicable rules.

MOTION

5. The Movant, by and through his attorney, moves the court to dismiss his case pursuant to 11 USC Sec. 1307(b).

MEMORANDUM OF LAW AND FACTS IN SUPPORT OF MOTION

A debtor is allowed to dismiss a Chapter 13 case pursuant to 11 U.S.C. § 1307(b).

This statute states as follows:

On request of the debtor at any time, if the case has not been converted under section [706](#), [1112](#), or [1208](#) of this title, the court shall dismiss a case under this chapter. Any waiver of the right to dismiss under this subsection is unenforceable.

11 U.S.C. § 1307(b).

Dismissal is necessary because claims have been filed that far exceed the debt ceiling of chapter 13. Debtor is ineligible to be in a chapter 13 bankruptcy. The Movant respectfully requests that his chapter 13 proceeding be dismissed.


Dated July 30, 2024

By /s/ Barbara J May
Barbara J May #129689
1915 Highway 36W
Roseville, MN 5113
Tel: 651.486-8887
Fax: 651.486-8890
Barbara@barbaramaylawoffice.com
Attorney for Debtor

VERIFICATION

Marko Kamel, having reviewed the attached document , declares under penalty of perjury that he knows the information contained herein to be true and correct to the best of his knowledge.

Dated:7/30/2024

DocuSigned by:

8BF175BD67C64CA...
Marko Kamel

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

Case # 24-31547
Chapter 13

In Re:

Marko Kamel

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ORDER DISMISSING CASE

Debtor,

This matter came before the Court on the debtor's motion to dismiss her chapter 13 proceeding. Based on the file, record and proceedings,

IT IS ORDERED:

1. That the debtor's motion is APPROVED and the chapter 13 case is dismissed.

BY THE COURT:

Dated: _____

Michael E. Ridgway
United States Bankruptcy Judge

Barbara J. May, being duly sworn upon oath, says that on the 30th day of July, 2024, she served the Debtor's

Motion to dismiss on:

Gregory Burrell
100 South Fifth Street, Suite 480
Minneapolis, MN 55402

United States Trustee
300 S 4th St Ste 1015
Minneapolis, MN 55415

All creditors on attached matrix

/s/ Barbara J. May

Barbara J. May

Label Matrix for local noticing

0864-3

Case 24-31547

District of Minnesota

St Paul

Fri Jul 12 12:00:54 CDT 2024

St Paul

200 Warren E. Burger Federal Building

and U.S. Courthouse

316 N Robert St

St Paul, MN 55101-1495

(p)BMW FINANCIAL SERVICES

CUSTOMER SERVICE CENTER

PO BOX 3608

DUBLIN OH 43016-0306

INTERNAL REVENUE SERVICE

INSOLVENCY SECTION

PO BOX 7346

PHILADELPHIA, PA 19101-7346

MICHEAL MEDICAL IGH

3120 WOODBURY DRIVE

WOODBURY, MN 55129-9600

US Trustee

1015 US Courthouse

300 S 4th St

Minneapolis, MN 55415-3070

Marko Kamel

1508 Clippership

Woodbury, MN 55125-8591

Minnesota Implant Center, P.L.L.C.

c/o Chapter 7 Trustee

Nauni Manty

150 South Fifth Street, Suite 3125

Minneapolis, MN 55402-4221

(p)ALLIANT CREDIT UNION

BANKRUPTCY DEPARTMENT

11545 W TOUHY AVE

CHICAGO IL 60666-5000

BMW Financial Services NA, LLC

1400 City View Drive

Columbus, OH 43215-1477

John Degnan

80 S 8th St

Minneapolis, MN 55402-2100

Nicole Brant

33 S. 6th Street

Suite 4400

Mpls, MN 55402-3710

Barbara J May

Barbara J. May Law Firm

1915 Highway 36 West

Suite 103

Roseville, MN 55113-2709

QL Titling Trust LTD/Quality Leasing Co., In

9830 Bauer Dr

Carmel, IN 46280-1972

AMERICAN EXPRESS

CUSTOMER SERVICE

PO BOX 981535

EL PASO TX 79998-153

EL PASO TX 79998-1535

Barbara J. May Attorney at Law

1915 Highway 36 W

Suite 103

Roseville, MN 55113-2709

LARKIN HOFFMAN

8300 NORMAN CENTER DRIVE

SUITE 1000

MPS, MN 55437-1060

TD AUTO FINANCE

1650 W 82D ST

BLOOMINGTON, MN 55431-1419

Gregory A Burrell

100 South Fifth Street

Suite 480

Minneapolis, MN 55402-1250

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

ALLIANT CREDIT UNION

11545 TOUHY AVE

CHICAGO IL 60666

BMW FINANCIAL SERVICES

5515 PARKCENTER CIRCLE

DUBLIN, OH 43017

End of Label Matrix

Mailable recipients 18

Bypassed recipients 0

Total 18